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ABSTRACT

A task force examined Vermont's special education paperwork and procedures to determine whether Vermont's requirements exceeded the federal requirements under the Individuals with Disabilities Education Act (IDEA). Upon close examination, the task force found only four areas in which the Vermont special education regulations require more paperwork than the federal regulations: the evaluation plan, notice of evaluation delay, the supplemental evaluation, and the multi-year plan. It concluded that IDEA creates most of the paperwork burden, an increased emphasis on accountability adds to the burden, complex compliance requirements lead to inconsistencies, and personnel are overburdened. Task force recommendations fall into two main categories: recommendations to maximize efficiency in the management of paperwork, record keeping, and procedural requirements, and recommendations that support state initiatives already underway. Recommendations for reducing paperwork include: (1) the state education department should initiate a collaborative process with stakeholders to consider the possibility of a specific plan for selected districts that eliminates selected paperwork and procedural requirements; (2) the department should clarify that clerical support for special education paperwork and record-keeping tasks is an allowable expenditure under the current special education funding formula; and (3) the department should develop and coordinate inservice training for both general and special educators. (CR)

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ED 454 643

# VERMONT TASK FORCE ON SPECIAL EDUCATION PAPERWORK REDUCTION

## A Report to the Commissioner of Education,

**David S. Wolk**

**February 1, 2001**

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*The work of the Task Force was requested by the Vermont Department of Education and supported by the Northeast Regional Resource Center*


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IDEAs that Work
Office of Special Education Programs

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## REPORT TO COMMISSIONER WOLK

## VERMONT TASK FORCE ON SPECIAL EDUCATION PAPERWORK REDUCTION

### I. Introduction

#### A. Creation of the Task Force

The Vermont Task Force on Special Education Paperwork Reduction submits this report. The Task Force was convened on May 23, 2000 by the Vermont Department of Education at the request of the Governor and the Vermont Legislature through Act 117[1]. During the public discussions about the draft revision of the Vermont special education regulations, many professionals, legislators, and the public raised their concerns about the amount of paperwork and procedural requirements in special education. Strong opinions were offered that the requirements drained public resources and were burdensome to personnel. In response to these concerns, the Department invited several senior members of the Vermont special education community, representing a variety of experiences and perspectives, to participate in a series of focused discussions about the paperwork burden experienced by special educators. The Task Force has discussed the paperwork and procedural issues, conducted an assessment of the problem, and in this report, has provided recommendations for possible solutions.

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[1] The purpose of Act 117 is to strengthen the capacity of general education to meet the needs of all Vermont students. Prior associated acts include Acts 230 and 157.

### B. Task Force Members

Task Force members represented the views of parents and parent advocates, special education administrators and teachers, state technical assistance providers and policy makers, and disability coalition representatives. Experience in the special education field by members of the Task Force ranged from ten to twenty-five years.

### C. Technical Assistance

At the request of the Department of Education, the Northeast Regional Resource Center (NERRC) agreed to facilitate the meetings. NERRC is the regional technical assistance center funded by the U.S. Office of Special Education Programs to assist the northeastern states in implementing the Individuals with Disabilities Education Act (IDEA), a federal law that entitles children with disabilities, who are eligible for and in need of special education, to a free appropriate public education.

### D. Goal and Building Consensus

The Task Force members agreed to the following goal to guide their work.

> ***The goal of the Vermont Task Force on Special Education Paperwork Reduction is to make recommendations to the Department of Education for the revision of Vermont and federal paperwork, procedural requirements, and practice that implement the Individuals with Disabilities Education Act (IDEA) so that paperwork and personnel time needed to document compliance with IDEA shall be reduced and personnel and families will be able to focus more upon the successful education for children with disabilities and their families.***

From the outset, the Task Force agreed to operate on a consensus basis. The Task Force defined consensus as a process for decision-making that

involves all members and where the final decision is one that all members can publicly support.

In beginning its work, the Task Force identified several common and different interests of the various stakeholders in special education. The common interests identified by the members were:

- The well being of the students and the quality of their education
- Reduction in the paperwork and procedural burden so that prospective teachers will choose special education and current teachers will remain in the field and increase the time they have available to teach
- Shared responsibility between all involved, including general education teachers and administrators, in the education of all students throughout the entire educational system
- A committed and well trained workforce
- Improved outcomes for students with disabilities, such as, increased satisfaction of students, teachers and families, improved rates of graduation from high school, increased exits from special education because of students' progress, low drop out rates, reductions in suspensions/expulsions, fewer students in need of special education, and positive assessment results.

The Task Force also identified areas where the interests of the stakeholders differ and potentially, but not necessarily, conflict:

- Parents and parent advocates have an interest in retaining the full procedural protections granted by IDEA and Vermont law in order to ensure compliance so that their children receive a free appropriate public education (FAPE) and have available to them the full continuum of special education services
- Teachers and school administrators have an interest in decreasing paperwork and procedural requirements to reduce the burden of their present workload and to have more time available for direct instruction and services to students
- The Vermont Department of Education has an interest in maintaining consistent paperwork and standardized forms in all Vermont school districts and to retain sufficient procedural requirements so that it is able to adequately exercise its general supervisory responsibility to ensure that districts comply with the law and to promote good practices

The members agreed that these differences must also be addressed by any proposed recommendations.

Given the common and different interests held by the various stakeholders, the Task Force decided to create a list of criteria to evaluate whether or not a particular recommendation would be acceptable to all of its members, and thus, adopted by the Task Force. The Task Force felt these criteria for paperwork, procedural and practice requirements would also aid them in discussions with their constituents about what they felt are the problems and how should they be solved. The best solutions proposed from constituents would be solutions that took into account the concerns and views of others as well as their own.

The agreed upon criteria used by the Task Force are as follows:

1. Requirements should promote parents, students, and schools working together and communicating well.
2. Requirements should result in school success for students and families.
3. Requirements should make the special educator's and administrator's jobs possible so that there is increased time available for teaching by all teachers.
4. Requirements should support good teaching.
5. Requirements should lead to shared responsibility among parents, students, regular and special educators for student success.
6. Requirements should promote students', families', and teachers' satisfaction with the education received by students with disabilities.

### E. Task Force Process

The Task Force met five times and attended several teleconference calls. Originally, the Task Force wished to complete its work by August 31, 2000, however, two barriers interfered with that original time frame. One, the priority of many in the special education community, including many members of the Task Force, was the major revision of the Vermont special education regulations. This took time away from the Task Force's efforts. Secondly, as it began considering its charge, the Task Force found that meaningful recommendations would involve consideration of broader issues than the narrow ones initially presented and felt this would take more time than originally allotted. As it was, their effort was completed in approximately six months, considerably shorter than many other state efforts.

Each member of the Task Force represented a different constituency such as special education teachers or parents. Members made an effort to gather input from their particular constituency regarding the questions posed by the Task Force. Surveys were developed and made available, the state created a web page seeking input from the public, announcements were made in newsletters and several discussions with constituents were led by Task Force members. This additional input helped Task Force members test their own opinions and gather ideas from other Vermonters involved in special education. The Task Force also identified other groups, such as early educators and school board members, that they hope will consider this report and add their comments to the public discourse.

## II. Gathering and Reviewing Information

### A. Other State and Federal Paperwork Initiatives

The Task Force found that Vermont's experience with the burden of paperwork in special education is shared by many other states. Over fifteen states have conducted initiatives examining paperwork and procedural requirements. The National Association of State Directors of Special Education (NASDSE) conducted a national survey on paperwork reduction that included the 50 states and territories. States reported various strategies to relieve the paperwork burden, such as recommending the use of technology (Oregon, Florida, Rhode Island and Wisconsin). In some states, paperwork was not seen as an issue (Utah, Wyoming and South Dakota). Other states undertook paperwork reduction efforts and concluded they were helpful (Minnesota). Finally, some states concluded that a system-wide change is the answer (California and Maine).

One example of a comprehensive state initiative to examine IDEA's paperwork burden was a two-year initiative conducted by California in 1995-1996 (See Appendix A.) For instance, California recommended that the state should increase its use of technology to reduce the paperwork. The California Task Force noted that many school personnel did not have access to computers and that they were not networked with the state department of education. Vermont faces some of the same technological challenges. Some recommendations made by California, however, have already been implemented by Vermont. For instance, California recommended the use of state-created standardized forms. Vermont has had a standard IEP and associated forms since 1988.

The Task Force learned about and followed the national effort sponsored by the Office of Special Education and Rehabilitative Services (OSERS) at the U.S. Department of Education in partnership with the four IDEA Partnership Projects funded by the Department, ASPIRE, FAPE, ILIAD, and PMP. This initiative is intended to respond to concerns with the procedural and paperwork requirements of IDEA (See Appendix B.) The goal of the federal effort is to ensure the effective and efficient implementation of the law and regulations.

Judith Heumann, Assistant Secretary of OSERS, stated in a letter referencing this initiative that OSERS will work to identify models for involving stakeholders in state efforts to review their procedural and paperwork requirements. OSERS will also identify research-based and promising practices that will help guide the discussion on streamlining procedures and paperwork to ensure effective teaching and learning, compliance, and improved results for children with disabilities.

In the summer of 2000, OSERS released its guidance document on IEPs entitled, Individualized Education Programs: A Federal Guide. The Task Force members reviewed the document and found that Vermont practice was in line with the recommendations made by OSERS.

As a next step, OSERS has held discussions with national advocacy groups such as the National Association of Protection and Advocacy Programs, Parent Advocacy Coalition for Education Rights, and the National Coalition of Disability Rights, about revising the federal monitoring process to focus on "targeted monitoring." Targeted monitoring would focus states' efforts in

compliance on the most important areas of IDEA compliance for children with disabilities. One of the benefits of more focused monitoring may be to focus documentation efforts that reduce the overall paperwork burden. The Task Force notes, however, that the problems of paperwork are faced at both the local and state level. Whether targeted monitoring would produce reductions in paperwork at both the state and local level remains to be seen.

The Task Force, through NERRC, has been in contact with, Joanne Cashman, Executive Director of one of the aforementioned federal partnerships, the Policy Maker Partnership (PMP). The Partnership is following the progress of the Task Force and has offered to chronicle the Vermont initiative, and perhaps, fund a future forum featuring the work of the Task Force and the Vermont community on this issue.

**B. Bright Futures Study**

The Task Force also examined an important national study that researched the professional working conditions of special education teachers throughout the United States. This two-year study was commissioned by the Council for Exceptional Children (CEC) and conducted by CEC's Presidential Commission on the Conditions for Special Education Teaching and Learning. The report of the study is entitled, Bright Futures for Exceptional Learners, and was published in the July/August 2000 issue of Teaching Exceptional Children. (See Appendix C.)

The CEC report documents special educators' concerns in the following areas: the conditions in which they deliver instruction, the expectations of special educators, and the overly burdensome responsibilities (including paperwork) that

detract from time for instruction. For example, the CEC report indicates that, on average, the majority of responding special educators (62%) report spending between .5 and 1.5 days per week on IEPs and related paperwork. Eighty-three percent report spending an additional .5 –1.5 days per week in IEP-related meetings. Twenty-six percent (26%) reported spending more than two full days on paperwork per week. In addition, the majority of responding special educators report spending two hours or less per week in individual instruction with each student for whom they are responsible. Bright Futures advocates an "action agenda" that includes a recommendation to "leverage time with technology tools and clerical supports to reduce the paperwork burden" (p.63).

## III. Activities Conducted by the Task Force

### A. Comparative Analysis of State and Federal Requirements

The Task Force examined Vermont paperwork and procedures to determine whether Vermont's requirements exceeded the federal IDEA requirements. (See Appendix D.) Upon close examination, the Task Force found only four areas in which the Vermont special education regulations require more paperwork than the federal regulations: the Evaluation Plan, Notice of Evaluation Delay, the Supplemental Evaluation, and the Multi-Year Plan.

Reg. § 2362.2.4(1) requires that prior to conducting an evaluation for eligibility purposes, personnel shall complete an Evaluation Plan which must list the areas to be evaluated, the procedures to be used in carrying out the evaluation, and appropriate justification for evaluation activities.

Reg. § 2362.3(2) requires written notice to parents of a delay in the completion of an evaluation if the delay will exceed 60 calendar days. The notice

must also include a schedule of activities needed to complete the evaluation. Notice of delay may only be used for student-based reasons that are exceptional, such as illness or family vacations. Reasons such as lack of staffing are not acceptable.

Vermont regulations require that a Supplemental Evaluation, a type of comprehensive evaluation, must be conducted prior to a significant change in a child's placement. Reg. § 2362.2.8. The current proposed revisions to the Vermont special education regulations eliminate the requirement for a Supplemental Evaluation.

Vermont's unique requirement of a Multi-Year Plan applies to any student with "limiting disabilities," and is not necessarily limited to children eligible for special education services. The Multi-Year Plan must show how that child will complete graduation requirements or explain exceptions to graduation requirements or alternative requirements. Reg. § 2150.4.

**B. Other Education Paperwork Requirements**

The Task Force compiled a list of all of the paperwork and procedural requirements that a local special education administrator or teacher must complete in addition to their teaching responsibilities. Upon reviewing these requirements and in discussing the paperwork issue with constituents, the Task Force found that generally, when personnel and public officials refer to the "paperwork and procedural burden" of special education, IDEA is, in fact, a major source of the paperwork and procedural workload reported by local personnel.

The Task Force also found that part of the paperwork and procedural burdens result from additional requirements found in other state and federal laws. Laws identified include the federal Government Performance Results Act of 1995 (GPRA), the federal Education Department General Administrative Regulations (EDGAR), Section 504 of the federal Rehabilitation Act ("Section 504"), Vermont Act 117 and its precursors, the federal Family Educational Rights and Privacy Act of 1974 (FERPA), and state and federal Medicaid regulations.

Paperwork and procedural requirements are generated not only by all of the aforementioned laws but also by prudent documentation required by administrators and school boards which must be in place in the event of litigation.

Finally, parents and schools also need clear documentation in writing about the services that will be provided to a child. The Task Force members agreed that clear communication helps to create true partnerships between families and schools. Good partnerships also result in fewer disputes thereby avoiding the extensive paperwork and procedural tasks associated with litigation.

### C. Vermont's Individualized Education Plan (IEP)

The Task Force also examined Vermont's Individual Education Plan (IEP) and consulted with national education expert and attorney, Art Cernosia, who is well acquainted with Vermont's requirements. He concluded that while Vermont's IEP could be amended in minor ways, the IEP form reflects the legally required components of the IEP as mandated by state and federal law. The Task Force concluded that most of Vermont's IEP components are required by federal law.

### D. Constituent Input

The Task Force sought input from various individuals and groups about special education paperwork, procedures and practices through a variety of means. Each member chose to seek input from its own constituency in ways that made the most sense for that group. Members sent surveys, used telephone interviews, and led discussions. Input was solicited from parents of students with disabilities, special education teachers, special education administrators, superintendents, principals, related service providers, and advocacy groups.

Task Force Members received different levels of response from the different constituency groups. As a result, there is an imbalance in the numbers of responses received from parents of children with disabilities as compared to those received from teachers and school administrators. The Task Force acknowledges the under-representation from parents but has tried to fairly represent the perspective of parents and families through the involvement of the parent representatives on the Task Force. The Task Force also notes that its membership was not able to seek out representatives from every constituency group having an interest in special education. For instance, the recommendations do not reflect adequate input from early educators. The Task Force hopes their observations and recommendations will be further developed through ongoing discussions held by other stakeholder groups.

Constituents were asked to comment on whether there were any state or federal procedures, paperwork requirements or practices that could be eliminated or done differently so that the burden for special education case managers could

be reduced, the procedural rights of children with disabilities still be protected, and so that direct services to children can become the focus of personnel time. (See Appendix E.) In addition, constituents were asked whether there were broader systemic issues, either state or federal, that also need to change.

Task Force members sought input from their respective constituency groups in various ways. The Vermont Parent Information Center (VPIC) announced the Task Force effort in its summer newsletter. In addition, a number of parents were personally contacted by VPIC. (See Appendix E.) Summary of parent comments:

- In general, special educators are overburdened with paperwork requirements.
- Teachers' response to paperwork requirements may be supported through improved understanding about particular disabilities and accommodations and the elimination of clerical responsibilities (such as Medicaid paperwork).
- Children who might be "caught in the middle" in the proposed change in special education eligibility rules must be safeguarded.
- Without the due process protections provided for children with disabilities under the IDEA, including the paperwork and procedural requirements, children and families' rights may not be ensured.

Input from special education teachers in Vermont was solicited through a survey which was sent to a statewide sampling of special educators in the early fall, 2000. Twenty-nine separate responses were received, although some of the responses represent a group of teachers. (See Appendix E.) Summary of special education teacher comments:

- Teachers are concerned about the volume of paperwork and procedural requirements.
- There are other factors, related to, but outside "special education," that adds to the paperwork burden. The paperwork requirements associated with Medicaid reimbursement, for example, have added considerably to case managers' record keeping responsibilities.

- Caseloads of special education teachers are increasing. Many special educators are serving students through their school's Educational Support System. These students are not identified as eligible for special education.
- It is difficult to locate appropriately certified staff to fill teacher vacancies.
- The required Educational Support System is not "really in place."
- There is an over-reliance on paraeducators.
- The threats of litigation and parent requests sometime outweigh decisions based on their professional judgment.

Comments were also solicited from Superintendents, Principals, Special Education Administrators, and Related Services Providers through a survey disseminated by the Vermont Council of Special Education Administrators (VCSEA). (See Appendix E.) From a total of seventy questionnaires, forty-nine responses were received. In general, school administrators echoed many of the comments of special education teachers with regard to paperwork requirements.

Summary of school administrator comments:

- Paperwork takes time from direct service to students.
- The overuse of paraeducators to serve the "most-in-need" students.
- Funding requirements which pose a barrier to more cooperative services between various agencies.
- Parent and teacher requests for one-to-one staff, which can isolate children from their peers.
- Interagency issues and inefficiencies.
- The need for increased training for regular classroom teachers in modifying and accommodating instruction as well as training in designing and delivering positive behavioral supports.
- Lack of availability of school personnel for direct teaching.
- The legal orientation of special education and the threat of litigation are hurting the relationships between parents and schools.
- The difficulty with agencies, other than education, in fulfilling their responsibilities to children with disabilities.
- The dual system of regular and special education; two systems functioning within one school district. They believe that a merger between general education and special education would address many of the issues that are currently fragmenting service delivery and a schoolwide approach to the education of all students.

- Increasing difficulties in finding qualified, experienced staff to fill vacancies due to:
  - Lack of training programs in Vermont for speech and language pathologists and other specialists.
  - The lure of higher pay in the private sector or in neighboring states.
  - The burdensome, litigious, stressful nature of special education in the public schools.
  - Special educators leaving special education for regular education jobs.

## IV. Conclusions of the Task Force

### A. Federal Law Creates the Burden

IDEA is the main reason for the paperwork and procedural burden faced by special education personnel. Vermont regulations do not exceed the federal regulations in any significant manner. Vermont regulations do not substantially increase the paperwork and procedural burden. The Task Force concludes that while Vermont record keeping and procedural requirements regarding the education of students with disabilities may be changed in minor ways, and practices may be streamlined and improved, this will only have a minor impact on the paperwork and procedural burden faced by school personnel. As long as the current federal mandates exist, paperwork and procedures will be necessary for compliance, regardless of state action.

### B. Other State and Federal Laws Also Create Burden

Other state and federal laws also contribute toward increased paperwork and procedural tasks. There is inconsistency and lack of coordination between those laws and requirements. The Task Force is not aware of any coordinated federal effort that would examine and resolve any conflicting or duplicative

requirements for paperwork and procedural tasks required by the numerous federal laws cited in this report.

In addition, coordination across the various agencies involved in the provision of services to children with disabilities is often difficult for school districts and confusing for families. School districts have the responsibility for the entitlement mandated by IDEA. Other agencies do not have a similar mandate. In addition, conflicting eligibility requirements and limitations on funding exacerbate the challenge of interagency collaboration. Special educators often have the major responsibility for interagency coordination but lack any authority to require interagency involvement. The Task Force notes the positive step towards interagency coordination by the Joint Fiscal Office in its just issued report, "Report on the Provision of Special Education Services in Regard to Cost Allocation, Upper Limit on Age Eligibility, and Interagency Coordination."

The Task Force also notes that changes made in policy at the state level have a ripple effort and can result in a greater paperwork burden at the local level. For instance, the change in policy to increase Medicaid reimbursements for services provided by schools was a needed change. However, personnel repeatedly cited Medicaid reimbursements as an area that added additional paperwork and procedural tasks to their workload. While limited Medicaid dollars can be used for administration, schools must sometimes make a choice between paying for special education personnel and purchasing adequate clerical support.

### C. Increased Emphasis on Accountability Adds To Burden

The increased emphasis on accountability throughout the educational system adds paperwork and procedures. For instance, both the statewide assessment system and the alternate assessment require additional documentation and tasks to be performed by local personnel.

The roles and responsibilities of general education teachers have also changed and expanded. The school accountability movement has placed increased expectations upon regular classroom teachers to bring all students to high standards. Schools are targeted for technical assistance based upon achievement test results. This emphasis on accountability has placed greater demands on special education for support.

### D. Complex Compliance Requirements Lead to Inconsistencies

Given the scope of the requirements in IDEA, there are inevitable inconsistencies in implementation at the local level. This can result in personnel generating greater paperwork than is necessary.

Inconsistency in the implementation of IDEA requirements across school districts may also result in inconsistent service delivery or non-compliance, thus, increasing disputes between parents and school personnel. Increased disputes lead to increased paperwork and procedural tasks.

### E. Personnel Are Overburdened

The present paperwork and procedural requirements overtax the capacity of school personnel. The amount of special education teacher's time spent on

paperwork and procedural tasks is out of proportion to the time devoted to working with children.

The Task Force notes that many institutions, other than education, must comply with requirements that ensure the provision of required services or risk legal and financial liability. Such institutions, such as hospitals, banks and corporations, must have the capacity to track the requirements and complete the documentation needed to demonstrate compliance. Generally, these types of institutions have personnel dedicated solely to record keeping and compliance and administrative staff. The Task Force notes that schools do not generally have personnel devoted specifically to compliance record keeping and operate with a minimum of clerical support.

The general education presently lacks sufficient capacity to serve diverse students outside of special education. As reported, many students are referred to special education that could be served in general education.

In addition, as encouraged under Act 117 and associated statutes, special educators and administrators often serve children identified under Section 504 of the Rehabilitation Act, coordinate Educational Support Teams, and provide educational support services to a wide range of other students who are demonstrating learning and behavioral problems in school in addition to serving children with IEPs. As a result, the number of students served by special educators has increased.

While a strength of the IDEA is the required participation of parents and school personnel as members of the IEP Team, school staff do not always have

the time or the skills for effective collaboration and conflict resolution. This may result in an increase in disputes between schools and parents.

Seasoned personnel are leaving special education and new teachers are increasingly difficult to draw to the field because of the perceived difficulty in balancing pressure from school boards and the public to cut costs, parent requests for appropriate services for their children, and lack of capacity in the general education system to more effectively address the needs of diverse learners.

## V. Task Force Recommendations

Given their agreement that the federal law is the major contributor to the paperwork and procedural burden faced by special education personnel, the Task Force engaged in extensive discussions regarding its recommendations. Despite these discussions, the Task Force could not reach consensus regarding whether or not to make recommendations for changes in the federal law.

Thus, the specific recommendations of the Task Force focus on changes that can be made in Vermont. These recommendations fall into two main categories: (A) recommendations that are intended to maximize efficiency in the management of paperwork, record-keeping, and procedural requirements, and (B) recommendations that support state initiatives already underway. The Task Force has determined that these recommendations meet the evaluation criteria outlined in Section I of this report.

### A. Maximizing Efficiency of Service Where Possible at the State and Local Level

1. **Pilot Program**: The Task recommends that the Department initiate a collaborative process with stakeholders to consider the possibility of a specific plan for selected districts that eliminates selected paperwork and procedural requirements. The Department should then explore the possibility of a waiver of federal requirements so that Vermont can implement such a pilot program. Any pilot program must be monitored carefully with the involvement of stakeholders.
2. **Clerical Support**: The Task Force recommends that, as long as the existing legal requirements are in place, the Department clarify that clerical support for special education paperwork and record-keeping tasks is an allowable expenditure under the current special education funding formula. The Task Force believes those clerical duties, such as typing, filling out routine forms and notices, and copying, should be eliminated from professional special educators' responsibilities.
3. **Technology**: The Department should provide leadership to ensure consistency across districts in the following areas:
    a. Access to computers and the Internet for all special education personnel
    b. Adequate on-site technological support
    c. Easy to use software
    d. Web-based, user-friendly system

e. "Single point of entry" system that requires individual student data to be entered only once by special education personnel

4. **In-service Training**: The Task Force recommends that the Department work to develop and coordinate an ongoing comprehensive program of in-service training, for both general and special educators, that would show teachers how to individualize instruction in the general classroom, modify instruction for all students with various learning needs, and prepare special educators in content area subject matter.

5. **Financial Incentives**: The Task Force supports the provision of financial incentives to districts to increase the capacity of general education to teach diverse learners and to build the capacity of Educational Support System.

6. **Medicaid**: The Task Force acknowledges that Medicaid creates an additional paperwork burden for special education that is not required by IDEA. To address the administrative burden related to Medicaid reporting and billing, the Task Force recommends that the Department identify districts that are managing the Medicaid paperwork in an efficient manner and share those practices with other districts throughout the state.

7. **Interagency Coordination**: The Task Force encourages all agencies which provide services to students, including agencies such as the Departments of Developmental and Mental Health Services, Vocational Rehabilitation, Employment and Training, and Social and Rehabilitative Services, to collaborate with the Department of Education to provide

training to agency personnel about their participation and role in the special education process.

**B. Current State Statutory Initiatives that the Task Force Supports**

The Task Force Supports the following initiatives that are currently being undertaken in Vermont. The Task Force believes that each of these recommendations will support the reduction of the paperwork and procedural burden faced by special education personnel and increase the quality of services received by students with disabilities.

1. **Regular Education Capacity**: So that children will be appropriately served outside of special education, the Task Force recommends that the capacity of the Educational Support System should continue to be strengthened, as required under Act 117 through:
   a. Action Planning;
   b. School-wide discipline systems focused on positive behavioral supports; and,
   c. Intervention and prevention programs.
2. **Specialized Technical Assistance**: The Task Force recommends that the Department increase its capacity to provide specialized assistance to schools with regard to individual students who present complex instructional challenges. Options might include expanding the capacity of the I-Team or the I-Team model, regional collaboratives, additional

technical assistance staff through the Department, interagency teams, or other alternatives.

3. **Full Continuum**: The Task Force recommends that the Department work toward ensuring that the full continuum of services is available to all eligible students in Vermont. Because some of the most complex cases involve out-of-state placements (and thus, involve many paperwork and procedural tasks), the need for those placements might be reduced if the continuum were more fully developed in VT.
4. **Professional Development**: The Task Force supports the direction set in Act 117 which requires that the Department of Education and institutions of higher education form a partnership to develop a plan to (a) provide increased and improved training opportunities for general education teachers, administrators, and paraeducators on techniques for meeting the instructional needs of all students and (b) improve the preparation of all teachers to be effective in an inclusive classroom.
5. **Relicensure**: The Task Force recommends that relicensure requirements be reviewed to ensure that continuing education for general and special education teachers includes training in individualizing instruction for diverse learners in the general education curriculum.
6. **Data Analysis**: The Task Force recommends that the Department continue to provide assistance to school districts in conducting analyses of the effectiveness of local early intervention and prevention programs. In addition, an analysis of child count data, already collected at the state

level, might serve to target school districts where early intervention and prevention efforts are correlated with reductions in the number of special education eligible students.

7. **Technical Assistance to Targeted Districts**: As required in Act 117, The Task Force supports the provision of additional technical assistance to those districts, identified through statewide monitoring and auditing, that are experiencing difficulties with compliance and service delivery.
8. **Dispute Resolution**: The Task Force recommends that the Department, school districts, families, and schools work together to design and implement a comprehensive system for effective communication and the use of alternative dispute resolution techniques in all phases and at all levels of the special education system. This will reduce the need for procedures and paperwork that result from conflicts between schools and families.
9. **Joint Training**: The Task Force recommends that the Department conduct joint training for regular and special education school personnel and administrators, parents, and other agency representatives including accurate information about special education procedures, communication strategies, problem solving, and dispute resolution.
10. **Interagency Agreements**: The Task Force recommends that State agencies that provide services to students should strengthen interagency agreements and provide personnel to coordinate services between agencies so that funding is available to students with disabilities.

## VI. Summary

The Task Force submits this report to the Vermont Commissioner of Education in the hope that its recommendations, and the input received from various constituencies, will be acted upon by the Vermont Department of Education, the Vermont Legislature, and local districts. The Task Force was impressed with the thoughtfulness of the various constituent commentators and urges their input to be taken seriously. It is our hope that the Vermont community can use the work of this Task Force to continue discussions and develop innovative ways to address the present burden of paperwork and procedural tasks upon special education personnel.

***VERMONT TASK FORCE ON SPECIAL EDUCATION***
***PAPER WORK REDUCTION REPORT***
***February 1, 2001***

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